

Interview Summary

Application No.

09/625,080

Applicant(s)

BROWN, STEPHEN J.

Examiner

Jonathan Ouellette

Art Unit

3629

All participants (applicant, applicant's representative, PTO personnel):

(1) Jonathan Ouellette.

(3) _____.

(2) Chad Swantz.

(4) _____.

Date of Interview: 20 July 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: _____.

Claim(s) discussed: 28 and 30.

Identification of prior art discussed: N/A.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Examiner Ouellette explained what he believed to be the allowable feature of independent claims 16 and 18 (weight scale directly connected to networked data collection system, awarded benefit to the subpopulation based on the results of data comparison). Examiner Ouellette and Mr. Swantz further discussed incorporating the allowable feature into independent claims 28 and 30, in order for the claims to read over the cited prior art. Mr. Swantz requested that Examiner Ouellette make the discussed amendments through Examiner's Amendment.

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3629

All participants (applicant, applicant's representative, PTO personnel):

(1) Jonathan Ouellette.

(3) _____.

(2) Chad Swantz.

(4) _____.

Date of Interview: 02 April 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: All Independent Claims.

Identification of prior art discussed: Chait et al. (US 5,639,471), Blank (US 5,913,826), and Mavis et al.

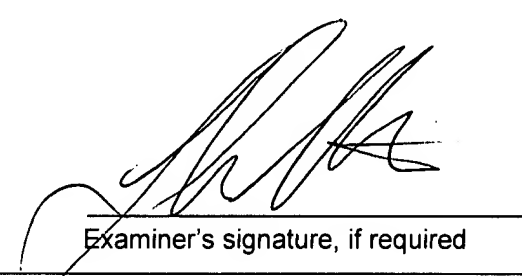
Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

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Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Examiner Ouellette and Mr. Swantz discussed the cited prior art and how it read on the claimed invention. Examiner Ouellette suggested amending the independent claims with detailed subject matter from the specification to overcome the cited prior art.

The following is possible allowable subject matter (possible amendment):

Obtaining patient weight data from two or more "teams" directly (over the network) from the patient's scale, comparing/analyzing automatically obtained weight data (as previously claimed) to determine an aggregate value (based on height and weight), and announcing statistical results and a weight loss winning team (with prizes/benefits) on a television show (pg.5).